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REMARKS

In the Non-Final Office Action of June 30, 2005, claims 1-20 are pending. Claims 1 and 19 are independent claims and are herein amended. Claim 20 is allowed. Applicants recognize the allowability of claims 2-11 and 14-17. The Office Action states that claims 2-11 and 14-17 would be allowable if rewritten in independent form. Applicants submit that claim 1 as previously presented and especially as herein amended is in allowable form. Since claims 2-11 and 14-17 depend from claim 1, they are allowable as originally drafted.

Claims 1, 12-13, and 18-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Hughes et al. (U.S. Pat. No. 6,412,287).

Amended claim 1 recites the limitations of an in-dash thermally controlled storage space system for a vehicle. The storage space system includes a housing that is configured to reside within a dashboard of a vehicle. A heat exchanger is coupled to the housing. A thermoelectric device is in thermal communication with the housing and thermally conducts energy between the housing and a non-storage space.

Hughes discloses heated/cooled console storage unit 10 that is configured for use within a center console 102 of a vehicle and that may be configured for portable use. The storage unit 10 includes a first storage compartment 12 and a second storage compartment 14. A thermoelectric module 16 is disposed between the first storage compartment 12 and the second storage compartment 14. The thermoelectric module 16 transfers or thermally conducts thermal energy between the first storage compartment 12 and the second storage compartment 14.

The console storage unit 10 is not configured to reside or to be coupled within a dashboard of a vehicle. This is clear in view of Figures 1, 2, 8, and 10 of Hughes. It is not clear to the Applicants how the console storage unit 10 would be incorporated into a dashboard. Besides, Hughes fails to provide any teaching or suggestion of in dash utilization. To suggest otherwise would be the use of improper hindsight reasoning in view of the present application.

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In addition, Hughes fails to teach or suggest the limitations of a thermoelectric device that thermally conducts energy between a housing and a non-storage space, which is temperature controlled via the thermoelectric device. Hughes discloses a thermoelectric module 16 that thermally conducts energy between two storage compartments that are temperature controlled via the thermoelectric module 16.

The stated invention allows for thermal energy to be transferred to or away from one or more storage units and is not dependent upon the temperatures within adjacent storage units. The stated invention thereby provides a thermally controlled storage space system with improved efficiency. Furthermore, the console storage unit 10 of Hughes is restricted to a hot storage compartment and a cool storage compartment. The console storage unit 10 of Hughes is incapable of cooling both storage compartments 12 and 14 or heating both storage compartments 12 and 14. The housing claimed is not limited to containing two storage spaces and may have any number of storage spaces, which may all be either cooled or heated.

Amended claim 19 recites a thermally controlled storage space system for a vehicle. The storage space system includes a housing that is coupled to and is in thermal communication with a portion of a vehicle air control system.

Although Hughes discloses the console storage unit 10 as being located within a center console 102 that has HVAC controls 114. Nowhere in Hughes is it disclosed or suggested that the console storage unit 10 is in thermal communication with an HVAC system or a vehicle air control system as claimed. Note that this claimed limitation has in essence already been admittedly allowed in allowing claim 2.

In order for a reference to anticipate a claim the reference must teach or suggest each and every element of that claim, see MPEP 2131 and *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628. Thus, since Hughes fails to teach or suggest each and every element of claims 1 and 19, they are novel, nonobvious, and are in a condition for allowance. Since claims 12-13 and 18-19 depend from

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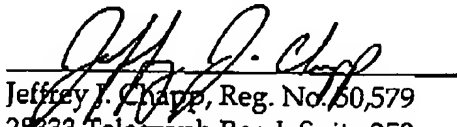
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claim 1, they too are novel, nonobvious, and are in a condition for allowance for at least the same reasons.

In light of the amendments and remarks, Applicants submit that all of the rejections are now overcome. The Applicants have added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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